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**REMARKS**

The application has been carefully reviewed in light of the Office Action dated January 10, 2005 and the personal interview of April 25, 2005. Applicant wishes to thank Examiner Ly for his comments during the personal interview of April 25, 2005 with Applicant's new representative Mr. Robert Evora. Examiner Ly is respectfully requested to consider the application in view of the amendments and associated remarks set forth herein.

**I. SUMMARY OF THE AMENDMENTS**

Claims 1, 8, 15 and 19 have been amended. Claims 1-21 remain pending in this application. The amendments to the application are fully supported in the original Specification. No new subject matter has been added. Applicant reserves the right to pursue the original claims in this application and other applications.

**II. CLAIM REJECTIONS*****Under 35 U.S.C. § 102(e)***

Claim 1 has been rejected under Section 102(e) as being anticipated by *Vazvan* (U.S. Patent No. 6,324,394). Applicant requests reconsideration of these claims at least in part because *Vazvan* fails to disclose the invention of amended claim 1.

Amended claim 1 recites a method for use in a mobility gateway for forwarding a call directed to a roaming subscriber unit, the method comprising, storing, at the mobility gateway coupled between a GSM network and an ANSI-41 based network, a plurality of temporary transfer-to telephone numbers, and selecting, for association with the roaming subscriber unit, one of the temporary transfer-to telephone numbers.

*Vazvan* discloses a system for monitoring mobile telecommunications in a multi-operator environment. In the system, users have a public USN (P-USN) for incoming calls and a secret

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USN (S-USN) for outgoing calls. Each USN consists of the operator code (e.g. 940-) and the user's permanent number, whereas each TN consists of the operator code (e.g. 940-) and the user's temporary number allocated to him for use within the service area of that operator. See Vazvan column 4 line 61 through column 5 line 2. The system of Vazvan has telecommunication connections between the operators' visitor location registers VLR, and the home location register HLR of the bank (i.e., the user control station UCS) form a signalling network so that after the question-answer procedure between the originating network (operator 1) and the UCS, the calls can be routed directly from the originating network to the terminating network (operator 2). See Vazvan column 5, lines 37-44.

The device of Vazvan fails to teach or suggest all the limitations of claim 1. Specifically, Vazvan fails to teach or suggest storing, at the mobility gateway coupled between a GSM network and an ANSI-41 based network, a plurality of temporary transfer-to telephone numbers. Vazvan fails to mention the use of a mobility gateway. To the contrary, Vazvan provides a direct link from one network to the other. See FIG. 2 (Call Route). In addition, Vazvan does not forward calls directed to a roaming subscriber unit. Vazvan merely provides a user with access to banking information from different mobile terminals. See Vazvan column 4, lines 54-59. Accordingly, the rejection of claim 1 should be withdrawn.

**Under 35 U.S.C. § 103(a)**

Claims 8, 15, 19 and 21 have been rejected under Section 103(a) as being unpatentable over Bharatia (U.S. Patent No. 6,138,007) in view of Vazvan. Applicant requests reconsideration of these claims at least in part because Bharatia and Vazvan fail to disclose the invention of amended claims 8, 15, 19 and 21.

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Amended claim 8 recites a mobility gateway for use in connection between an ANSI-41 based network and a GSM-based network, the mobility gateway comprising a processor, memory for storing a plurality of temporary transfer-to telephone numbers homed on one or more mobile switching centers (MSCs), said processor being operative for selecting one of the plurality of temporary transfer-to telephone numbers for association with a roaming subscriber unit.

Amended, claim 15 recites a method for use in forwarding a call between an ANSI-41 based network and a GSM-based network intended for a subscriber unit comprising, *inter alia*, after receiving a location request message from a mobile switching center, correlating the message with a previous request message received by a mobility gateway.

Amended claim 19 recites a method for use in a mobility gateway coupled between an ANSI-41 based network and a GSM-based network comprising, *inter alia*, after receiving a location request message from a mobile switching center, correlating the message with a previous request message received by a mobility gateway.

**Bharatia** discloses that,

Within the standards of Optimal Routing, a routing of a call to a roaming MS can be prepared for as follows. In GSM systems modified in accordance with the above referenced GSM standard designated as Optimal Routing, the address of the GSM gateway MSC is included in the SRI (Send Routing Information) message sent to the HLR (Home Location Register). This information is also provided as part of the PRN (Provide Roaming Number) message that is sent to the IWU when calling a roaming GSM subscriber presently located in the environment of a IS41 network. Thus, the IILR and IWU are provided the address information needed to contact the GSM gateway when necessary.

When a redirect request message is received by the IWU subsequent to the failure of a call being terminated in the IS41 network, the IWU of the present invention sends a resume call handling message to the GSM gateway MSC. The GSM MSC can now send a message to the IS41 MSC releasing the call placed to the IS41 and then commence call setup to complete the late call forwarding process.

**Bharatia** column 3, lines 15-33.

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The Federal Circuit Court of Appeals has stated that a showing of a *prima facie* case of obviousness necessitates three requirements: (i) some suggestion or motivation, either in the references themselves or in the knowledge of a person of ordinary skill in the art, to modify the reference or combine the reference teachings; (ii) a reasonable expectation of success; and (iii) the prior art references must teach or suggest all claim limitations. See e.g., In re Dembicak, 175 F.3d 994 (Fed. Cir. 1999); In re Rouffet, 149 F.3d 1350, 1355 (Fed. Cir. 1998); Pro-Mold & Tool Co. v. Great Lakes Plastics, Inc., 75 F.3d 1568, 1573 (Fed. Cir. 1996). The references used in the Office Action fail at least the third prong of the test of obviousness in that the prior art references fail to teach or suggest all claim limitations of amended claims 8, 15 and 19.

In the present case, the combination of *Bharatia* and *Vazvan* fails to teach or suggest the subject matter of claim 8. In particular, the combination fails to teach or suggest the use of memory for storing a plurality of temporary transfer-to telephone numbers homed on one or more mobile switching centers that is different from a mobile switching center serving a roaming subscriber unit. The Office Action acknowledges that *Bharatia* fails to teach or suggest the use of memory for storing a plurality of temporary transfer-to telephone numbers homed on one or more mobile switching centers. In order to overcome this deficiency in *Bharatia*, the Office Action relies on *Vazvan*. However, *Vazvan* fails to teach or suggest such a limitation. To the contrary, *Vazvan* stores temporary numbers on a terminal. See Vazvan column 4, lines 46-51. Accordingly, the rejection of claim 8 should be withdrawn.

The combination of *Bharatia* and *Vazvan* fails to teach or suggest the subject matter of claims 15 and 19. In particular, the combination fails to teach or suggest the step of after receiving a location request message from a mobile switching center, correlating the message with a previous request message received by a mobility gateway. Neither *Bharatia* nor *Vazvan*

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mention correlating the message with a previous request message received by a mobility gateway. Accordingly, the rejection of claims 15 and 19 should be withdrawn.

Claims 9-14 depend from claim 8, claims 16-18 depend from claim 15, and claims 20 and 21 depend from claim 19. Each is allowable over the combination of *Bharatia* and *Vazvan* along with claims 8, 15 and 19 for the reasons mentioned above and on their own merit.

Claims 2-7, 9-14, 16-18 and 20 have been rejected under Section 103(a) as being unpatentable over *Bharatia* and *Vazvan* and further in view of *Tiedemann, Jr. et al.* (U.S. Patent No. 6,381,454) ("*Tiedemann*"). Applicant requests reconsideration of these claims at least in part because *Bharatia*, *Vazvan* and *Tiedemann* fail to disclose the invention of claims 2-7, 9-14, 16-18 and 20.

With the present amendments, claims 2-7 depend from amended claim 1, claims 9-14 depend from amended claim 8, claims 16-18 depend from amended claim 15, and claims 20 and 21 depend from amended claim 19. Each is allowable over the combination of *Bharatia* and *Vazvan* along with amended claims 1, 8, 15 and 19 for the reasons mentioned above and on their own merit.

The office action acknowledges that *Bharatia* and *Vazvan* fails to disclose a temporary transfer-to telephone number is homed on a mobile switching center that is different from a mobile switching center serving a roaming subscriber unit. In order to overcome this deficiency in *Bharatia* and *Vazvan* the office action relies on *Tiedemann*.

*Tiedemann* discloses a communications network and method for over the air service programming a mobile station (2), where the mobile station transmits a service programming request to a communications network, which results in the mobile station (2) being connected to a customer service center (26). See Tiedemann, Abstract. *Tiedemann* also fails to teach or

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suggest a method for use in a mobility gateway for forwarding a call directed to a roaming subscriber unit, the method comprising, storing, at the mobility gateway coupled between a GSM network and an ANSI-41 based network, a plurality of temporary transfer-to telephone numbers, and selecting, for association with the roaming subscriber unit, one of the temporary transfer-to telephone numbers, as recited in claim 1. *Tiedemann* also fails to teach or suggest a processor, said processor being operative for selecting one of the plurality of temporary transfer-to telephone numbers for association with a roaming subscriber unit and memory for storing a plurality of temporary transfer-to telephone numbers homed on one or more mobile switching centers that is different from a mobile switching center serving a roaming subscriber unit, as recited in claim 8. *Tiedemann* also fails to teach or suggest the step of after receiving a location request message from a mobile switching center, correlating the message with a previous request message received by a mobility gateway, as recited in claims 15 and 19.

Thus, whether considered alone or in combination, *Bharatia*, *Vazvan* and *Tiedemann* fail to teach or suggest all the limitations of amended claims 1, 8, 15 and 19. With the present amendments, because claims 2-7 depend from amended claim 1, claims 9-14 depend from amended claim 8, claims 16-18 depend from amended claim 15, and claims 20 and 21 depend from amended claim 19, all are allowable over the combination of *Bharatia*, *Vazvan* and *Tiedemann*, along with amended claims 1, 8, 15 and 19 for the reasons mentioned above and on their own merit.

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### III. CONCLUSION

Applicant's new counsel respectfully requests allowance of all the claims pending in this case. Should Examiner Ly believe that a telephone conference would be useful to resolve any concerns and move this application to allowance, Examiner Ly is respectfully requested to contact the undersigned at the telephone number listed below. Otherwise, Applicant respectfully requests the present application be allowed and a Notice of Allowability issued.

#### PETITION FOR EXTENSION OF TIME

A three-month extension of time is requested, extending the date for reply from April 10, 2005 to July 11, 2005. Payment for the Petition for Extension of Time is enclosed and the Commissioner is authorized to charge any deficit and credit any overpayment to deposit account 50-3447.

Respectfully submitted,



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